

A G E N D A

BOARD OF SHELBY COUNTY COMMISSIONERS

CHARTER FORM OF GOVERNMENT

NOVEMBER 10, 2003

1:30 P.M. COMMISSION CONVENES

CALL TO ORDER Deputy Sheriff Larry Powell

INVOCATION Pastor La Simba Gray – New Sardis Baptist Church

PLEDGE OF ALLEGIANCE

ROLL CALL

WILLINGHAM ADOPTED **Approval of Minutes of Previous Sessions**
October 13, 2003
October 27, 2003

C O N S E N T A G E N D A

Resolutions of Memorial, Sympathy and Commendation

HOOKS ADOPTED 1. **Memorial Resolution honoring Reverend Mose Pleasure, Jr.**

HOOKS ADOPTED 2. **Resolution honoring Yvonne and David Acey as recipients of the 2003 “BC Powder® Community Leader of the Year” Award.**

Ordinances

MOSS APPROVED 3. **ORDINANCE – SECOND READING** – **An Amendment to the Joint Ordinance by the City Council of the City of Memphis and Resolution by the Board of the County Commissioners of Shelby County, creating the Memphis and Shelby County Office of Construction Code Enforcement and prescribing its power and duties; providing for the creation of a Joint Board of Appeals and the election of its chairman and vice chairman; providing for an Administrator and two Deputy Administrators for the office; providing for the distribution of funds accruing to said office and for the sharing the expense of operation of said board and office by said governmental bodies; creating Code Advisory Boards and Licensing Boards; adopting the current Shelby County Construction Codes as the Memphis and Shelby County Construction**

Codes; and authorizing the mayors of the City of Memphis and the County of Shelby to execute said agreements.

MOSS
(DEFERRED
TO 11/24/03)

4. ORDINANCE – SECOND READING – (CASE NO. ZTA 03-001 CC) -- A Joint Ordinance amending the Memphis and Shelby County Zoning Ordinance-Regulations adopted by the Shelby County Board of Commissioners on October 6, 1980, and the City Council of the City of Memphis on October 7, 1980, being Resolution and Zoning Ordinance No. 3064, as amended, so as to make certain changes therein as follows:
Amend Section 2, “Interpretations and Definitions”;
Section 26, “Overlay District Regulations” to add a new overlay district; and Section 26, FP floodplain district, paragraph I.7.

MOSS
APPROVED

5. ORDINANCE – SECOND READING – (CASE NO. STA 03-001 CC) -- A Joint Ordinance amending the Memphis and Shelby County Subdivision Regulations adopted by the Shelby County Board of Commissioners and the City Council of the City of Memphis on December 19, 1983, being Resolution and Zoning Ordinance No. 3352, as amended, so as to make certain changes therein as follows:
Amend Section 301.3 “Preliminary Plan Requirements”, paragraph D; Section 301.7 “Final Plat Requirements”, paragraph C; and Section 105, jurisdiction/exemptions”.

AVERY
APPROVED

6. ORDINANCE – SECOND READING - Ordinance by the Board of Commissioners for Shelby County, Tennessee, to amend the Shelby County Air Code and Chapter 14.5 of the Code of Shelby County to retain the same annual emission fee amount for calendar year 2002; by providing for revisions for noncompliance; to amend required sampling, recording and reporting; to amend methods of sampling and analysis; to amend fees for stack tests; to add new authority for the Air Board to issue Confidentiality Protection Orders for Secret Formulae, processes or methods used in manufacturing operations and to grant, deny or revoke confidentiality; to add a definition of " *Regulated Pollutant* (for fee calculation)" to incorporate by reference specified state and federal emission standards; and housekeeping revisions.

Zoning and Subdivisions

HOOKS
ADOPTED
(A-C)

7. Resolution approving various subdivision contracts, plats, extensions, bond releases, etc. as recommended by the County Engineer.

Reports and/or Resolutions of Standing Committees

KIRK
ADOPTED

8. Resolution approving contract with Elite Service Group, Inc. in the amount of \$99,818.56 for janitorial maintenance services for various Shelby County buildings.

KIRK ADOPTED	9.	Resolution approving contract with Trane, a division of American Standard, Inc., to provide two Centrifugal Chillers for the Criminal Justice Center at 201 Poplar, appropriating funds in the amount of \$452,729.00 from the FY 2003/2004 Budget for DIP Project NO. 101505, Justice System Criminal Justice Center, and appropriating an extra work allowance in the amount of \$22,271.00 from the FY 2003/2004 Budget for CIP Project No. 101505, Justice System: Criminal Justice Center.
LILLARD ADOPTED	10.	Resolution increasing the FY 2003-2004 Roadside Litter Grant budget from \$327,142.00 to \$378,525.00.
AVERY ADOPTED	11.	Resolution to approve a contract between Shelby County Government and Health Management Associates in the amount of \$24,000.00 to provide technical assistance to the mayor, his staff, and the Health Community Commission to implement the recommendations in the HMA study which includes restructuring the Shelby County Health System to become more integrated and effective.
AVERY ADOPTED	12.	Resolution to approve a contract between the Memphis and Shelby County Health Department and the Tennessee Department of Health in the amount of \$45,000.00 for provision of a Mosquito Research Program for the period May 1, 2003 – December 31, 2003 and amending the FY2003/2004 Operating Budget and amending the FY 2003-2004 Position Control Budget to add four (4) new positions.
WILLINGHAM ADOPTED	13.	Resolution approving disbursement of funds to Swanson Enterprises, Inc., dba Servicemaster of Germantown in the amount of \$168,558.16 for emergency cleanup at the Pyramid due to the flood May 16, 2003.
WILLINGHAM ADOPTED	14.	Resolution approving an expenditure of funds to Mike Gross Construction Services, Inc. in the amount of \$223,204.32 for emergency repair at the Pyramid due to damages from the storm and flooding May 16, 2003.
WILLINGHAM ADOPTED	15.	Resolution approving an expenditure of funds to Robbins, Sport Surfaces in the amount of \$99,900.00 for emergency replacement of the portable basketball floor at the Pyramid due to the storm and flooding May 16, 2003.
RENDTORFF ADOPTED	16.	Resolution approving Lease Agreement with Raleigh Springs, LLC, for office space at 3384 Austin Peay Highway, known as Raleigh Springs Mall, for the Community Services Agency Low-Income Home Energy Assistance Program, and appropriating funds in the amount of \$4,500.00.
RENDTORFF ADOPTED	17.	Resolution approving the contract between Shelby County and Western Kentucky University Training and Technical Services for the transition of Shelby County Head Start and implementation of the Quality Improvement Plan (QIP).

- MALONE
ADOPTED

18. Resolution rescinding previously approved resolution approving Homestead Program transfer of property and reassigning property to the real estate office for sale.
- MALONE
ADOPTED

19. Resolution approving the transfer of title of five parcels of Homestead Program property pursuant to Tennessee Code Annotated 7-66-101 to 7-66-111 and Resolution #24 adopted by the Shelby County Board of Commissioners October 7, 1985 authorizing the implementation of the Shelby County Homestead Program.

HOOKS
ADOPTED

CONSENT AGENDA

R E G U L A R A G E N D A

Elections, Appointments, and Confirmations

Ordinances

Zoning and Subdivisions

- HOOKS
(DEFERRED
TO 11/24/03)

20. CASE NO. Z 03-114 CC
APPLICANT: Windsor Park, LLC

LOCATION: North side of Ellis Road; beginning 944.6 feet west of Brunswick Road

REQUEST: Single Family Residential (R-S10) District

Memphis and Shelby County Office of Planning and Development recommendation:
APPROVAL

Memphis and Shelby County Land Use Control Board recommendation:
APPROVAL

(Notice of public hearing published in the Daily News on Friday, August 15, 2003.)

**HOOKS
ADOPTED**

21.

CASE NO. P.D. 03-346 CC

APPLICANT: Michael Lightman Realty Co.

LOCATION: South side of Winchester Road; +/-3,600 feet west of Hacks Cross Road

REQUEST: Planned development amendment to expand Area ‘D’ to allow Planned Commercial (C-P) District uses and to expand Area ‘E’ to allow General Office (O-G) and Multiple Dwelling Residential (R-MM) District uses within the Outline Plan.

Memphis and Shelby County Office of Planning and Development recommendation:
APPROVAL WITH CONDITIONS

Memphis and Shelby County Land Use Control Board recommendation:
APPROVAL WITH CONDITIONS

(Notice of public hearing published in the Daily News on Friday, October 31, 2003.)

**HOOKS
ADOPTED**

22.

CASE NO. S.U.P. 03-219 CC

APPLICANT: Michael Hatcher & Associates

LOCATION: East side of Hacks Cross Road; +/-1,350 feet north of State Line Road

REQUEST: Special use permit to allow a commercial greenhouse, nursery and landscape contracting service

Memphis and Shelby County Office of Planning and Development recommendation:
APPROVAL WITH CONDITIONS

Memphis and Shelby County Land Use Control Board recommendation:
APPROVAL WITH CONDITIONS

(No notice of public hearing in newspaper of general circulation required.)

Reports and/or Resolutions for Standing Committees

**RENDTORFF
ADOPTED**

23.

Resolution approving the organizational structure of the Shelby County Government Head Start Program and transition of Shelby County Head Start, Incorporated employees into Shelby County Government.

**MALONE
ADOPTED**

24.

Resolution approving assignment of county owned property to the Homestead Program.

**MALONE
ADOPTED**

25. Resolution approving the transfer of title of four parcels of Homestead Program property pursuant to Tennessee Code Annotated 7-66-101 to 7-66-111 and Resolution #24 adopted by the Shelby County Board of Commissioners October 7, 1985 authorizing the implementation of the Shelby County Homestead Program.

Announcements/Statements

26. Notification from county mayor of various appointments/ reappointments to Boards, Commissions, and offices of Shelby County Government.
- a. Resolution nominating John Bossier for reappointment to the Memphis and Shelby County Air Pollution Control Board, expiring on August 29, 2005. (Comm #3)
 - b. Resolution nominating Dr. David Mirvis for appointment to the Memphis and Shelby County Air Pollution Control Board for a term of three years. (Comm #3)
 - c. Resolution nominating Gene Childress, Larry Jenkins and Lewis Wood for reappointment and Gregory Taylor for appointment to the Memphis and Shelby County Cross Connection Board for a term of three years. (Comm #5)
 - d. Resolution nominating Peggy Brouard, Dr. Sebrina Brinson, Dr. Robin Cobb, Linda Williams, Dr. Jim Mitchell as community representatives to the Shelby County Policy Council.

Adjournment

**RENDTORFF
ADOPTED**

27. Resolution of Adjournment to November 24, 2003 at 1:30 p.m.

AGENDA # 7
NOVEMBER 10, 2003

7A

SUBDIVISION: BLUE STONE GLEN P.D., (P.D. 03-310 CC)

DEVELOPER: CMCS, L.L.C.

ACTION: RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO BLUE STONE GLEN P.D. (P.D. 03-310 CC) AND AUTHORIZE THE RECORDING OF THE PLAT WHEN BONDING PROCEDURES HAVE BEEN FULFILLED

LOCATION: SOUTH SIDE OF HOLMES ROAD; +195 FEET EAST OF CHEROKEE ROSE LANE

7B

SUBDIVISION: MORGAN MANOR SUBDIVISION (S 99-042 CC)

DEVELOPER: ROSE INVESTMENT PROPERTY, INC.

ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE IMPROVEMENTS TO MORGAN MANOR SUBDIVISION (S 99-042 CC)

LOCATION: HOLMES ROAD WEST OF HACKS CROSS ROAD

7C

SUBDIVISION: ROCKYFORD FIRST ADDITION, SECTION E-2, (S 95 052 CO)

DEVELOPER: ROCKYFORD FIRST ADDITION, SECTION E-2, L.L.C.

ACTION: RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO ROCKYFORD FIRST ADDITION, SECTION E-2, (S 95 052 CO) AND AUTHORIZE THE RECORDING OF THE PLAT WHEN BONDING PROCEDURES HAVE BEEN FULFILLED

LOCATION: EASTERN TERMINUS OF BEAGLE LANE; APPROXIMATELY +/-165 FEET EAST OF CENTERLINE INTERSECTION OF BEAGLE LANE AND ROCKYFORD CIRCLE

[For questions regarding the Agenda, please call
Grace Hutchinson, Chief Administrator, at 545-4301.]

1/9/04 4:07 PM
